

Remarks

Claims 1-14 and 22-26 are pending in the application. Claims 22-23 have been amended. New claim 27 has been added. Reconsideration and re-examination of the application is respectfully requested for the reasons set forth herein.

1. Claims 22-23 have been amended to correct antecedent basis. Specifically claims 22-23 have been amended to depend from independent claim 25 to provide proper antecedent basis for the element "the face." Entry of these amendments and re-examination of claims 22-23, as amended herein, is respectfully requested.

2. The Examiner has rejected claims 1-2, 6-7, 22-23 and 25 under 35 U.S.C. 102(b) as being anticipated by US Patent No. 6,202,786 issued to Pfaffelhuber et al.

Claim 1 requires that the constructional unit comprise "a plurality of spacers arranged between the frame and the cover, the spacers being formed to define a gap therebetween; and an adhesive provided in the gap that attaches the frame to the cover and simultaneously seals the gap." As shown in Figs. 3-4 of Pfaffelhuber et al., Pfaffelhuber et al. teaches a supporting body 1 having a plurality of spacers 2 protruding upward from a bottom surface thereof that form a plurality of gas filled chamber-like intermediate cavities 7. A covering layer 5 is adhered to top ends 3 of the spacers 2 and top edges 4 of the supporting body 1 such that portions of the covering layer 5 cover the gas filled chamber-like intermediate cavities 7. As clearly shown in Fig. 4 of Pfaffelhuber et al., Pfaffelhuber et al. does not teach the adhesive provided on the covering layer 5 as being provided *in* the gas filled chamber-like intermediate cavities 7 such that the adhesive attaches the supporting body 1 to the covering layer 5 and simultaneously seals the

gas filled chamber-like intermediate cavities 7, as required by the claimed invention.

Conversely, the covering layer 5 provided with the adhesive merely defines a top of the gas filled chamber-like intermediate cavities 7. Thus, Pfaffelhuber et al. fails to teach all of the elements of claim 1. Removal of the rejection of claim 1 is therefore respectfully requested.

Claims 2, 6-7, 22-23 and 25 depend from independent claim 1. As previously discussed, Pfaffelhuber et al. does not teach all of the elements of claim 1 and therefore does not teach all of the elements of claims 2, 6-7, 22-23 and 25. Removal of the rejection of claims 2, 6-7, 22-23 and 25 is therefore respectfully requested.

3. The Examiner has rejected claims 8-9, 13-14 and 26 under 35 U.S.C. 102(b) as being anticipated by US Patent No. 6,202,786 issued to Pfaffelhuber et al.

Claim 8 requires that the constructional unit comprise “an adhesive provided between the frame and the cover that attaches the frame to the cover and seals a region between the frame and the cover, the region having indentations that provide repositories for the adhesive.” As previously discussed, Pfaffelhuber et al. teaches a supporting body 1 having a plurality of spacers 2 protruding upward from a bottom surface thereof that form a plurality of gas filled chamber-like intermediate cavities 7. A covering layer 5 is adhered to top ends 3 of the spacers 2 and top edges 4 of the supporting body 1 such that portions of the covering layer 5 cover the gas filled chamber-like intermediate cavities 7. As clearly shown in Fig. 4 of Pfaffelhuber et al., Pfaffelhuber et al. does not teach the gas filled chamber-like intermediate cavities 7 as being a repository for the adhesive provided on the covering layer 5 such that the adhesive seals the gas filled chamber-like intermediate cavities 7 between the supporting body 1 and the covering layer 5, as required by the claimed invention. Conversely, the covering layer 5 provided with the

adhesive merely defines a top of the gas filled chamber-like intermediate cavities 7. Thus, Pfaffelhuber et al. fails to teach all of the elements of claim 8. Removal of the rejection of claim 8 is therefore respectfully requested.

Claims 9, 13-14 and 26 depend from independent claim 8. As previously discussed, Pfaffelhuber et al. does not teach all of the elements of claim 8 and therefore does not teach all of the elements of claims 9, 13-14 and 26. Removal of the rejection of claims 9, 13-14 and 26 is therefore respectfully requested.

4. The Examiner has rejected claims 3-5 and 10-12 under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,202,786 issued to Pfaffelhuber et al. in view of US Patent No. 3,637,551 issued to Sprauer.

Claims 3-4 depend from independent claim 1. Claims 10-12 depend from independent claim 8. As previously discussed, Pfaffelhuber et al. does not teach all the elements of claim 1 or claim 8. Because the addition of Sprauer does not remedy the deficiency of Pfaffelhuber et al. not teaching all of the elements of claim 1 or claim 8, the combination of Pfaffelhuber et al. in view of Sprauer does not teach or suggest all of the elements of claims 3-4 and 10-12. Furthermore, there is no motivation to combine the teachings of the references, as suggested by the Examiner. Removal of the rejection of claims 3-4 and 10-12 is therefore respectfully requested.

5. The Examiner has rejected claim 24 under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,202,786 issued to Pfaffelhuber in view of Applicant's Admitted Prior Art (AAPA).

Claim 24 depends from independent claim 1. As previously discussed, Pfaffelhuber et al. does not teach all the elements of claim 1. Because the addition of AAPA does not remedy the deficiency of Pfaffelhuber et al. not teaching all of the elements of claim 1, the combination of Pfaffelhuber et al. in view of AAPA does not teach or suggest all of the elements of claim 24. Furthermore, there is no motivation to combine the teachings of the references, as suggested by the Examiner. Removal of the rejection of claim 24 is therefore respectfully requested.

6. New claim 27 has been added to the application. New claim 27 is considered to be in condition for allowance, because the prior art fails to teach or suggest all of the elements of claim 27. Examination of claim 27 and passage to issue thereof is respectfully requested.

In view of the arguments presented herein, the application is considered to be in condition for allowance. Reconsideration and passage to issue is respectfully requested. If the Examiner has any questions or needs further clarification, he is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

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